

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

TERRELL EDWARD SHELTON,)	
Petitioner,)	
)	
v.)	Civil Action No. 06-1455
)	
ATTORNEY GENERAL OF)	
PENNSYLVANIA, et al.,)	
Respondents.)	

O R D E R

AND NOW, this 16th day of January, 2007, after a petition for a writ of habeas corpus was filed by the petitioner, Terrell Edward Shelton, and after a Report and Recommendation of the United States Magistrate Judge was issued, and the parties were granted thirteen days after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the petitioner, and after independent review of the petition and the record, and upon consideration of the Report and Recommendation of the Magistrate Judge, which is adopted and incorporated as the opinion of this Court,

IT IS ORDERED that the petition of Terrell Edward Shelton for a writ of habeas corpus is dismissed, and that a certificate of appealability is denied for lack of a viable federal constitutional issue.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the F.R.App.P., if the petitioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided by Rule 3 F.R.App.P.

BY THE COURT:

s/ Terrence F. McVerry
United States District Judge

cc: All Parties and Counsel of Record

Honorable Robert C. Mitchell
United States Magistrate Judge